

**UTILITY PATENT APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 42P14174X

(maximum 12 characters)

First Named Inventor Xing, Su et al.Title: Methods and Device for Analyte CharacterizationExpress Mail Label No. EV410001633US

ADDRESS TO:      **Mail Stop Patent Application**  
                         **Commissioner for Patents**  
                         **P.O. Box 1450**  
                         **Alexandria, Virginia 22313-1450**

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.      X        **Fee Transmittal Form (e.g., PTO/SB/17)**  
                 (Submit an original and a duplicate for fee processing)
2.                **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3.      X        **Specification (Total Pages   39  )**  
                 (preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
                 or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.      X        **Drawings(s) (35 USC 113) (Total Sheets   21  )**
5.      -        **Oath or Declaration (Total Pages       )**
  - a.                Newly Executed (Original or Copy)
  - b.      -        Copy from a Prior Application (37 CFR 1.63(d))  
                 (for Continuation/Divisional with Box 18 completed)
    - i.                DELETIONS OF INVENTOR(S) Signed statement attached deleting  
                 inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)  
                 and 1.33(b).
  - c.                Unsigned.
6.                **Application Data Sheet. (37 CFR 1.76)**
7.                CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8.                Nucleotide and/or Amino Acid Sequence Submission  
                 (if applicable, all necessary)
  - a.                Computer Readable Form (CRF)
  - b.                Specification Sequence Listing on:
    - i.                CD-ROM or CD-R (2 copies); or
    - ii.               paper
  - c.                Statements verifying identity of above copies

00727 U.S. PTO  
10/697682

## ACCOMPANYING APPLICATION PARTS

9. \_\_\_\_\_ **Assignment Papers (cover sheet & documents(s))**
10. \_\_\_\_\_ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- \_\_\_\_\_ b. Power of Attorney
11. \_\_\_\_\_ English Translation Document (if applicable)
12.   X   a. Information Disclosure Statement (IDS)/PTO-1449 (or PTO/SB/08)
- \_\_\_\_\_ b. Copies of IDS Citations
13. \_\_\_\_\_ **Preliminary Amendment**
14.   X   **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. \_\_\_\_\_ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. \_\_\_\_\_ **Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
- 17A. \_\_\_\_\_ Claim for Foreign Priority
- 17B. \_\_\_\_\_ Other: \_\_\_\_\_

17C. \_\_\_\_\_ Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title (e.g., by way of preliminary amendment), or in an Application Data Sheet Under 37 C.F.R. 1.76:


\_\_\_\_\_ Continuation \_\_\_\_\_ Divisional   X   Continuation-in-part (CIP)  
**Of Prior Application No.:** 10/138,157 **Examiner** Smith, Carol L. **Group Art Unit** 1631  
 (which is a \_\_\_\_\_ continuation/ \_\_\_\_\_ divisional/ \_\_\_\_\_ CIP of prior application no. \_\_\_\_\_,  
 which is a \_\_\_\_\_ continuation/ \_\_\_\_\_ divisional/ \_\_\_\_\_ CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.**  
**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. **Correspondence Address**  
 \_\_\_\_\_ **Customer Number or Bar Code Label** \_\_\_\_\_  
 or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label  
 here)

  X   **Correspondence Address Below**

**NAME** BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
**ADDRESS** 12400 Wilshire Boulevard  
Seventh Floor  
**CITY** Los Angeles **STATE** California **ZIP CODE** 90025  
**Country** U.S.A. **TELEPHONE** (303) 740-1980 **FAX** (303) 740-6962

**Name (PRINT/TYPE):** Richard A. Nakashima **R gistration No.:** 42, 023  
**Signatur :**  **Dat :** Oct b r 29, 2003

**FEE TRANSMITTAL FOR FY 2004**

(FY 2004 Begins 10/01/2003)

**TOTAL AMOUNT OF PAYMENT (\$)** 950.00

Complete if Known:

Application No. Not Yet AssignedFiling Date Concurrently HerewithFirst Named Inventor Xing Su, et al.Examiner Name Not Yet AssignedArt Unit Not Yet AssignedAttorney Docket No. 42390P14174X☐ Applicant claims small entity status. See 37 CFR 1.27.**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Credit any overpayments.☒ Charge any additional fees during the pendency of this application.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.☐ Charge fee(s) indicated below except for the filing fee.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description                    | Fee Paid      |
|--------------|----------|--------------|----------|------------------------------------|---------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                    |               |
| 1001         | 770      | 2001         | 385      | Utility application filing fee     | <u>770.00</u> |
| 1002         | 340      | 2002         | 170      | Design application filing fee      | _____         |
| 1003         | 530      | 2003         | 265      | Plant filing fee                   | _____         |
| 1004         | 770      | 2004         | 385      | Reissue filing fee                 | _____         |
| 1005         | 160      | 2005         | 80       | Provisional application filing fee | _____         |

**SUBTOTAL (1)** \$ 770.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    |           |          | Extra Claims | Fee from below | Fee Paid        |
|--------------------|-----------|----------|--------------|----------------|-----------------|
| Total Claims       | <u>30</u> | - 20** = | <u>10</u>    | X <u>18.00</u> | = <u>180.00</u> |
| Independent Claims | <u>3</u>  | - 3** =  | _____        | X <u>86.00</u> | = _____         |
| Multiple Dependent |           |          |              | _____          | = _____         |

\*\*Or number previously paid, if greater; For Reissues, see below.

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                 |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                      |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                  |
| 1204         | 86       | 2204         | 43       | **Reissu independent claims v r original patent        |
| 1205         | 18       | 2205         | 9        | **Reissu claims in excess f 20 and ver original patent |

**SUBTOTAL (2)** \$ 180.00

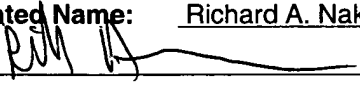
**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| <u>Larg Entity</u>        |                 | <u>Small Entity</u> |                 | <u>Fee Description</u>   | <u>Fee Paid</u> |
|---------------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Fee Code</u>           | <u>Fee (\$)</u> | <u>Fee Code</u>     | <u>Fee (\$)</u> |  |                 |
| 1051                      | 130             | 2051                | 65              | Surcharge - late filing fee or oath  | _____           |
| 1052                      | 50              | 2052                | 25              | Surcharge - late provisional filing fee or cover sheet                     | _____           |
| 1053                      | 130             | 1053                | 130             | Non-English specification  | _____           |
| 1812                      | 2,520           | 1812                | 2,520           | For filing a request for ex parte reexamination                            | _____           |
| 1813                      | 8,800           | 1813                | 8,800           | Request for inter parties reexamination                                    | _____           |
| 1804                      | 920*            | 1804                | 920*            | Requesting publication of SIR prior to Examiner action                     | _____           |
| 1805                      | 1,840*          | 1805                | 1,840*          | Requesting publication of SIR after Examiner action                        | _____           |
| 1251                      | 110             | 2251                | 55              | Extension for reply within first month                                     | _____           |
| 1252                      | 420             | 2252                | 210             | Extension for reply within second month                                    | _____           |
| 1253                      | 950             | 2253                | 475             | Extension for reply within third month                                     | _____           |
| 1254                      | 1,480           | 2254                | 740             | Extension for reply within fourth month                                    | _____           |
| 1255                      | 2,010           | 2255                | 1,005           | Extension for reply within fifth month                                     | _____           |
| 1401                      | 330             | 2401                | 165             | Notice of Appeal   | _____           |
| 1402                      | 330             | 2402                | 165             | Filing a brief in support of an appeal                                     | _____           |
| 1403                      | 290             | 2403                | 145             | Request for oral hearing   | _____           |
| 1451                      | 1,510           | 1451                | 1,510           | Petition to institute a public use proceeding                              | _____           |
| 1452                      | 110             | 2452                | 55              | Petition to revive - unavoidable   | _____           |
| 1453                      | 1,330           | 2453                | 665             | Petition to revive - unintentional   | _____           |
| 1501                      | 1,330           | 2501                | 665             | Utility issue fee (or reissue)   | _____           |
| 1502                      | 480             | 2502                | 240             | Design issue fee   | _____           |
| 1503                      | 640             | 2503                | 320             | Plant issue fee  | _____           |
| 1460                      | 130             | 1460                | 130             | Petitions to the Commissioner  | _____           |
| 1807                      | 50              | 1807                | 50              | Processing fee under 37 CFR 1.17(q)  | _____           |
| 1806                      | 180             | 1806                | 180             | Submission of Information Disclosure Stmt                                  | _____           |
| 8021                      | 40              | 8021                | 40              | Recording each patent assignment per property (times number of properties) | _____           |
| 1809                      | 770             | 2809                | 385             | For filing a submission after final rejection (see 37 CFR 1.129(a))        | _____           |
| 1814                      | 110             | 2814                | 55              | Statutory Disclaimer   | _____           |
| 1810                      | 770             | 2810                | 385             | For each additional invention to be examined (see 37 CFR 1.129(b))         | _____           |
| 1801                      | 770             | 2801                | 385             | Request for Continued Examination (RCE)                                    | _____           |
| 1802                      | 900             | 1802                | 900             | Request for expedited examination of a design application                  | _____           |
| 1504                      | 300             | 1504                | 300             | Publication fee for early, voluntary, or normal pub.                       | _____           |
| 1505                      | 300             | 1505                | 300             | Publication fee for republication  | _____           |
| 1803                      | 130             | 1803                | 130             | Request for voluntary publication or republication                         | _____           |
| 1808                      | 130             | 1808                | 130             | Processing fee under 37 CFR 1.17(i) (except provisionals)                  | _____           |
| 1454                      | 1,330           | 1454                | 1,330           | Acceptance of unintentionally delayed claim for priority                   | _____           |
| Other fee (specify) _____ |                 |                     |                 |  | _____           |
| Other fee (specify) _____ |                 |                     |                 |  | _____           |
|                           |                 |                     |                 | <b>SUBTOTAL (3)</b>  | <b>\$ _____</b> |

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Richard A. Nakashima

Signature:  Date: October 29, 2003

R g. Number: 42, 023 Teleph n Numb r: (303) 740-1980

**PATENT**

Attorney Docket No.: 42P14174X

**APPLICATION FOR UNITED STATES LETTERS PATENT**

for

**METHODS AND DEVICE FOR ANALYTE CHARACTERIZATION**

Inventors:

**Xing Su**

and

**Andrew A. Berlin**

Prepared by:

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**EXPRESS MAIL CERTIFICATE OF MAILING**

"Express Mail" mailing label number: EV 410001633US

Date of Deposit: October 29, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Assistant Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313.

Debbie Peloquin

Typed or printed name of person mailing paper or fee

Debbie Peloquin

Signature of person mailing paper or fee

Docket No.: 042390P14174X

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